

FREDERICK COUNTY PLANNING COMMISSION  
Minutes of Meeting for  
February 8, 2023 (day mtg)  
*In Person/Virtual Meeting*

See video for further meeting details: <http://frederickcountymd.gov/5956/Video-Archives>

Members Present: Craig Hicks, Chair; Joel Rensberger, Vice Chair; Tim Davis, Secretary; Sam Tressler III, Carole Sepe; Robert White, Jr., and Masai Troutman.

Members Absent: None

Staff Present: Mike Wilkins, Development Review and Planning Director; Kimberly Gaines, Livable Frederick Director; Kathy Mitchell, Senior Assistant County Attorney; Mark Mishler, Traffic Engineer; Ashley Moore, Senior Planner; Graham Hubbard, Principal Planner; Cody Shaw, Principal Planner; Beau Lockard, Principal Planner Historic Preservation; and Karen James, Administrative Specialist.

The meeting was called to order at 9:00 a.m.

1. **PLEDGE OF ALLEGIANCE** – Mr. Hicks

2. **ROLL CALL** - Mr. Hicks

3. **MINUTES TO APPROVE** November 9, 2022; November 16, 2022

**DECISION**

Having no discussion or objections, the minutes of November 9, 2022 and November 16, 2022 were approved as submitted by unanimous consent.

4. **PLANNING COMMISSION COMMENTS**

Mr. Rensberger offered a welcome to new staff member Justin Burkner, a planner in the Livable Frederick Planning and Design Office, along with a construction worker's hard hat with the word "planner" on it. Last month Mr. Burkner participated in his first workshop/group discussion.

Mr. Hicks thanked his fellow Planning Commission members, county staff and applicants, explaining that it is an unusually full day in an unusually full month for the Planning Commission. He further shared that the pace and intensity of the February schedule is not sustainable. The Planning Commission Executive committee (Mr. Rensberger, Mr. Davis and Mr. Hicks) will soon propose amendments to the Rules of Procedure that will give members a more active role in determining Planning Commission meeting agendas.

5. **AGENCY COMMENTS / AGENDA BRIEFING**

**INFORMATIONAL**

Ms. Gaines reminded members of the 6:30 p.m. Windridge rezoning hearing. Mr. Wilkins announced upcoming Development Review items to be presented to the Planning Commission. Plans are being made for an additional February meeting should it become necessary.

Mr. Davis joined the meeting following the Agenda Briefing.

6. **QUANTUM FREDERICK PFA EXPANSION**

**RECOMMENDATION**

Expansion of the Quantum Frederick Priority Funding Area to reflect current sewer service classifications.

*Kimberly Gaines, Director, Livable Frederick*

**Staff Presentation:** Kimberly Gaines

Questions, comments, and discussion by Planning Commission members followed the presentation.

Mr. White joined the meeting.

**Applicant Presentation:** None

**Public Comment:**

In-person: 1

**Rebuttal:** None

**Decision:** Mr. Rensberger moved that the Planning Commission submit a favorable recommendation to the County Council consistent with the staff report. Mr. Tressler seconded the motion that passed 4-0-0-3.

| Planning Commission members | Aye | Nay | Abstain | Absent |
|-----------------------------|-----|-----|---------|--------|
| Hicks-Chair                 | X   |     |         |        |
| Rensberger Vice-Chair       | X   |     |         |        |
| Davis-Secretary             | X   |     |         |        |
| Tressler                    | X   |     |         |        |
| *Sepe                       |     |     |         | X      |
| White                       |     |     |         | X      |
| Troutman                    |     |     |         | X      |

\*Recused

## **7. PRELIMINARY PLAN**

## **DECISION**

- a) *Quantum Frederick Section 2* – The Applicant is requesting Preliminary Subdivision Plan approval for 4 lots and 3 open space parcels located on 258.67 acres. Located North and east of the intersection of Ballenger Creek Pike and Mountville Road. Tax Map: 94, Parcel: 9; Zoned: General Industrial (GI), Limited Industrial (LI), and Agricultural (A); Planning Region: Adamstown. S1179 (AP# PP273777 APFO# A273778 FRO# F273779).

*Ashley Moore, Senior Planner*

**Staff Presentation:** Ashley Moore

Questions, comments, and discussion by Planning Commission members followed the presentation. Mr. Troutman joined the meeting during the presentation.

**Applicant Presentation:**

Kraig Walsleben, Rodgers Consulting

Scott Noteboom, Quantum Frederick

Rick Keiner, Quantum Frederick

Additional questions and comments by Planning Commission members.

**Public Comment:**

In-person: 4

Live call-ins: 0

Recorded messages: 0

Applicant rebuttal, Mr. Walsleben.

Additional discussion followed rebuttal.

**Decision:** Mr. White moved that the Planning Commission conditionally approve Preliminary Subdivision Plan S-1179, PP273777 (F273779; A273778), based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting. Mr. Tressler seconded the motion that passed 6-0-0-1.

| Planning Commission members | Aye | Nay | Abstain | Absent |
|-----------------------------|-----|-----|---------|--------|
| Hicks-Chair                 | X   |     |         |        |
| Rensberger Vice-Chair       |     |     | X       |        |
| Davis-Secretary             | X   |     |         |        |
| Tressler                    | X   |     |         |        |
| *Sepe                       |     |     |         | X      |
| White                       | X   |     |         |        |
| Troutman                    | X   |     |         |        |

\*Recused

Break taken at 10:39 a.m. Meeting resumed at 10:47 a.m.

\*\*Mr. Rensberger asked to change his vote (Quantum Frederick Section 2) from aye to an abstention. Ms. Mitchell said that could be done, changing the vote to 5-0-1-1, but not changing the outcome.

- b) Gordon Mill – The Applicant is requesting Preliminary Subdivision Plan approval for 435 single family lots and 175 townhouse lots on a +/- 279.2-acre Site. Located on the east side of Boyers Mill Road. Tax Map: 79, Parcels: 2, 3; Zoned: Planned Unit Development (PUD), Planning Region: New Market. S1170 (AP# PP257753 APFO# A274928 FRO# F257754).

*Cody Shaw, Principal Planner II*

Prior to staff presentation, Planning Commission members Carole Sepe, Craig Hicks, and Bob White disclosed that they had discussions with Council Member Steve McKay. These discussions were about scheduling and not the merits of the case.

Attorney Michele Rosenfeld, representing Cleanwater Liganore, approached the podium asking that the hearing be rescheduled in the evening and if not, to hold the record open and schedule a second meeting in the evening to allow interested community members to participate before making a final decision.

Mr. Hicks responded that the Planning Commission is not prepared to reschedule the hearing but may decide that they need more information, before making a decision. In that event they might decide to hold the record open and defer their decision to



that event they might decide to hold the record open and defer their decision to another date. Mr. Hicks reviewed the Planning Commission rules for cross examination.

**Staff Presentation:** Cody Shaw

**Cross Examination:**

By Ms. Rosenfeld with advice and instruction to staff by Ms. Mitchell. Staff responding to cross examination included Mr. Mishler, Mr. Wilkins, Mr. Shaw and Ms. Moore.

By Brent Simmons, with responses by Mr. Wilkins, Ms. Mitchell and Mr. Mishler.

Recess for lunch at 12:30 p.m. Meeting resumed at 1:30 p.m.

Staff responded to questions, comments and discussion by the Planning Commission members.

**Applicant Presentation:**

Soo Lee-Cho; Bregman, Berbert, Schwartz & Gilday, LLC  
Christine Sindall; Bregman, Berbert, Schwartz & Gilday, LLC  
Donavon Corum, CBM Consulting  
Michael J. Workosky, Wells and Associates

**Cross Examination:**

By Tommy Davis, responses by Mr. Corum and Planning Commission members.

By Lizzie Thompson, responses by Ms. Lee-Cho, Mr. Corum and Mr. Workosky.

By Susan Muck, responses by Mr. Corum and Ms. Lee-Cho.

Following cross examination, Planning Commission members asked questions of the applicant.

Break taken at 4:14 p.m. Meeting resumed at 4:24 p.m.

**Public Comment:**

In-person: 11

Live call-ins: 1

Recorded messages: 0

Scheduling of upcoming meetings were discussed, along with items expected to be continued from the February 8 meeting.

Mr. Hicks announced that without objection from the Planning Commission, the hearing for Gordon Mill Preliminary Plan and Gordon Mill Site Plan will be continued to Wednesday, February 15 at 6:30 p.m. and begin with public comment. The five Urbana items listed on the February 8 agenda are moved to February 15 at 9:30 a.m.

Mr. Hicks declared the meeting adjourned at 5:29 p.m.

*with correction on p 3*

  
Craig Hicks, Chair

*4/12/23*  
Date